

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AUTOMATED MANAGEMENT
SYSTEMS, INC.,

Plaintiff,

-against-

ORDER

RAPPAPORT HERTZ CHERSON
ROSENTHAL, P.C., WILLIAM
RAPPAPORT, STEVEN M. HERTZ,
ELIOT J. CHERSON, MICHAEL C.
ROSENTHAL, BRANKO
RAKAMARIC, and BEN WACHTER,

16-CV-4762 (LTS)(KNF)

Defendants.

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KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE

By a letter, plaintiff Automated Management Systems, Inc. (“AMSI”) requests (1) “leave to move for summary judgment on its breach of contract claim beyond the deadline of Fed. R. Civ. P. 56(b)”; (2) “leave to supplement its opposition to the Law Firm Defendants’ summary judgment motion”; and (3) “limited reopening of discovery to allow AMSI to conduct the timely-noticed depositions of Defendants for which they refused to appear, as well as obtain additional documents responsive to AMSI’s timely served document requests, and to conduct limited follow-up discovery based on the two yearlong-delayed production of Defendants’ Accused Software.” Docket Entry No. 293. Defendants Rappaport, Hertz, Cherson, Rosenthal, P.C., William Rappaport, Steven M. Hertz, Eliot J. Cherson, and Michael C. Rosenthal oppose AMSI’s requests and request that they be denied. See Docket Entry No. 294.

All applications related to motions for summary judgment are to be directed to the assigned district judge in this action, as dispositive motions have not been referred to the

undersigned. See Docket Entry No. 96. AMSI's request to reopen discovery is denied, without prejudice to its renewal, if necessary, after the resolution of the outstanding summary judgment motion. This order resolved Docket Entry No. 293.

Dated: New York, New York
October 13, 2021

SO ORDERED:



KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE